

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Vergnault  
SERIAL NUMBER: 10/538,344 EXAMINER : Shawquia Young  
FILING DATE: June 9, 2005 ART UNIT : 1626  
FOR: TOPICAL NANOPARTICULATE SPIRONOLACTONE  
FORMULATION

Via EFS  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed after the mailing date of the first Office Action, but before the mailing date of either a final action under 37 C.F.R. §1.113 or a Notice of Allowance under 37 C.F.R. §1.311. The fee of \$180.00 as set forth in 37 C.F.R. §1.17(p) is enclosed.

The following items of information contained in this Supplemental Information Disclosure statement were first cited in the corresponding Japanese Office Action for the related Application No. 2004-559854, which was communicated to Applicants' U.S. attorneys on August 28, 2009: B7-B10 and C1-C2. This communication was not received by any individual designated in 1.56(c) more than thirty days prior to the filing of the Supplemental Information Disclosure Statement under 37 C.F.R. §1.704(d).

Pursuant to 37 C.F.R. § 1.98(a)(3)(i), to the extent that any non-English references are submitted herein without a translation, each reference is submitted because it was cited by a Patent Office (U.S. or otherwise) in one or more other applications owned by the Assignee that includes subject matter that is related, at least in part, to the present application.

APPLICANT: Vergnault  
U.S.S.N.: 10/538,344

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 28069-608 NATL.

Respectfully submitted,

\_\_\_\_\_  
David E. Johnson, Reg. No. 41,874  
Erica R. Carlson, Reg. No. 58,032  
Attorney(s) for Applicants  
MINTZ, LEVIN, COHN, FERRIS,  
GLOVSKY and POPEO, P.C.  
Address all written correspondence to  
**Customer no.: 30623**  
Tel: (617) 542-6000  
Fax: (617) 542-2241

Date: September 25, 2009

4720183v.1